

60,130-1197; 01MRA0362

REMARKS

Claims 1-8, 10-11 and 14 are presently pending in the application. Claims 1 and 11 are in independent form.

Claims 1-7, 10-11 and 14 were rejected under §103 over Miura in view of Miller. The rejection is improper because with respect to claim 1 because Miura fails to disclose all of the limitations as argued by the Examiner. Specifically, claim 1 requires a differential that couples or connects the axle shafts and the driven shaft, which requires the differential to connect both of the axle shafts and the driven shaft. This is not shown in Miura, which only shows the differential connected between the shaft 601 and 602; the differential does not connect both of the shafts 601 and 602 to the driven shaft 706, and therefore, cannot meet this limitation. For this reason alone the rejection of claim 1 must be withdrawn.

The rejection is improper with respect to claims 1 and 11 because there is no suggestion or motivation to modify Miura with Miller. The claims require a seal arranged between the driven shaft and housing/bearing cage, which is not shown in Miura. The Examiner argues that one of ordinary skill in the art would modify Miura with Miller "so as to provide a bearing sealed on both ends so as to divide the assembly into two chambers, each having a different lubricant, and prevent lubricants from entering the adjacent chambers." Miura's goal is to separate the large gear case 170 from the small gear case 180 into two chambers using seal 702. The reason is that Miura desires to use hypoid oil for the differential in the large case 170 and other oil in the small case 180 (see column 8, lines 1-18). This goal has been completely achieved in Miura. The seal arrangement in Miller provides no additional benefit to Miura. Furthermore, Miller's only goal is to provide a sealed, oil lubricated bearing arrangement, as opposed to using grease (see column 1, lines 49-56). The small gear case 180 of Miura is already oil lubricated so has no need for the bearing arrangement of Miller. For these reasons, there is nothing that would motivate one of ordinary skill to combine these references.

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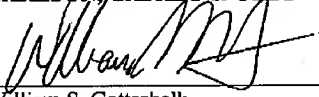
The rejections of claims 3-5 are also improper for the reasons set forth in Applicant's November 30, 2003 Amendment.

The rejections of claims 6, 7 and 11 are also improper because Miller does not disclose the seal arranged between a bearing cage and driven shaft, and specifically, between the bearing cage and cone.

For the reasons set forth above, Applicant submits that the pending claims in the application are allowable. Applicant respectfully solicits allowance of these claims. If any fees or extensions of time are required, please charge to Deposit Account No. 50-1482.

Respectfully submitted,

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